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December 17, 2024

VIA CM/ECF

Hon. Vernon S. Broderick, U.S.D.J.
Southern District of New York
40 Foley Square, Room 415
New York, New York 10007

Re: Smith v. Akela Contracting LLC, et al., Civil Action No: 1:22-cv-01185-VSB

Dear Judge Broderick:

We represent the Plaintiffs in the above referenced matter. We write pursuant to Your Honor's Individual Practices, and with the consent of all parties, to request an adjournment of the status conference currently set forth December 20, 2024. The Parties submit good cause exists for this adjournment, as the Parties to the prime case have a settlement in principal and are working as expeditiously as possible to finalize the long form agreement and submit the approval papers to Judge Parker. Previously, Judge Parker granted the Parties request for an adjournment of all case deadlines *sine die* pending this settlement. ECF No. 158. Thus, the Parties were of the belief that the December 20, 2024 conference was also adjourned, but were made aware today that it remained on the Court's calendar. This is the first request for an adjournment of this status conference.

In the third-party action, which is not covered by the pending settlement, a telephonic Local Civil Rule 37.2 pre-motion conference with respect to Third-Party Defendant The City of New York's (the "City") request for leave to move for a stay of discovery in the third-party action pending the Court's determination of the City's fully-briefed motion to dismiss the Third-Party Complaint is scheduled for January 14, 2025, before Magistrate Judge Katharine H. Parker

We thank the Court for its time and consideration of our request.

The telephonic conference scheduled for December 20, 2024, at 2:00 pm is hereby adjourned sine die.


Sincerely,

/s/ Armando A. Ortiz

Armando A. Ortiz

Dated: December 18, 2024

**APPLICATION GRANTED
SO ORDERED**


**VERNON S. BRODERICK
U.S.D.J.**